

CITY OF DELAFIELD PLAN COMMISSION MINUTES

CALL MEETING TO ORDER

Mayor Craig called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ROLL CALL

Present

Absent

Mayor Paul Craig
Phil Schuman
Chrys Mursky
Mike Court
Beth Leonard (entered 7:08 p.m.)
Dick Kuchler
Roger Dupler
Tom Maney
Matt Carlson
Marilyn Czubkowski

1. APPROVE PLAN COMMISSION MEETING MINUTES OF DECEMBER 15, 2004

P. SCHUMAN MOTIONED TO APPROVE THE MINUTES OF THE DECEMBER 15, 2004 MEETING. D. KUCHLER SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

2. DELAFIELD CITIZEN'S COMMENTS PERTAINING TO SUBJECTS ON THIS AGENDA.

Atty. Michael Wittcomb, 633 W. Wisconsin Ave., Milwaukee – He was asked by individuals who own properties along Mill Pond to attend and comment on their concerns in relation to Item 6D of the agenda. He explained the process by which a dam is abandoned and the impact of the removal of the dam, in addition to the benefits of retaining the dam. The riparian right for maintaining the water level was discussed. They requested that the Plan Commission recommend to the Common Council that the Mill Pond Dam be acquired by the City.

Besty Busch, 830 Wells Street – Spoke regarding Item 6A. She thought that the development was far too dense. It is not congruent with the neighborhood and was concerned that it would look like row housing when complete. She didn't like the idea of a private drive. She wanted the traffic impact looked into.

Michael Gagliano, 210 Mill River court – Bought their home because their home was located on the Mill Pond. He discussed the result of the water level being lowered last summer. He encouraged the City to step in and not let this

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important pond be taken away. He encouraged the preservation of the pond. They have certain riparian water rights. Believed that the City must step in and get control of the situation. He urged the City to take control and manage this pond as the asset it is.

Evelyn Headley, 364 Bark River Court – They have lived here for 13 years and chose this area because of the uniqueness of Delafield. They are very concerned about the Mill Pond. Addressed the silt that has built up in the pond and asked how it would affect the Nemahbin Lakes if the dam were removed. Urged that a recommendation be made to the Common Council to keep the dam.

Victoria Hanson, 1331 E. Devonshire Dr. – Discussed the development at Lapham Street and stated that it was too dense and will generate too much traffic. The density of housing is too heavy and does not fit in with the area. There are possible run-off problems. Hoped that the density could be lowered.

Eileen Mooers, 257 W. Main Street – Lives on the Mill Pond. The Pond has been their main form of recreation since living at this residence. The Pond provides many recreational activities. The loss of the Mill Pond would be a tragedy. She strongly urged that the City officials step in to preserve the Mill Pond.

Onika Mooers, 257 W. Main Street – Has lived here all of her life. She reviewed the winter activities that she participates in and the get-togethers she hosts on the Mill Pond. Asked to keep the dam working and in existence.

Susan Wagner, 184 Bark River Court – Implored the Plan Commission to advise the City to obtain and control the Mill Pond Dam and necessary property. It is time for the City to take ownership of the dam. She reviewed the repairs that had taken place on the dam. The Mill Pond and dam would be a city asset. She distributed photos showing wildlife and the area by the Mill Pond. She encouraged the Plan Commission to help them and for the City to obtain this resource and control it.

Tom Hennig, 318 North Lapham Peak Road – Addressed item 6A. Discussed the density of the proposed development. Thought that this area should be preserved. This was not compatible with the surrounding neighborhood. He also discussed the private driveway and thought that it was too small. He asked if the City would be responsible for the private road at sometime in the future.

C. Hennig, 318 North Lapham Peak Road – agreed with the above comments. Commented about the traffic study. Thought that the traffic would be going through their neighborhood as a short-cut. Did not think that the traffic would be controlled and that it would increase dramatically.

Ed Marek, 1435 E. Devonshire Rd. – Spoke on Item 6A, and echoed the comments. Discussed the high density of housing and issues relating to this high density.

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Doug Prittie, 336 Bark River Court – Has lived here for about 10 years. He discussed the aspects of removing the dam, including the silt, and the breeding of insects and other pests. The impact on the Nehmabin Lakes and the river was discussed. Asked who the responsible party would be. Urged the City to pursue every avenue to acquire dam in order to preserve the properties and the pond.

Sue Solberg, 1213 Main Street – Spoke regarding Item 6A – Thought it would be way too much development for the amount of space and would hurt the look of the City. Agreed with the other comments made.

Denise Labbot, 1306 Main Street – Owns property that the development would be building around. She was concerned about the road that would go in front and behind her house, the pathways, and the density of the buildings.

M. Czubkowski received two letters regarding the Trillion Development which expressed concern about traffic, green space, density, and stormwater issues.

Mike Kerin, Main Street – Spoke regarding Item 6A. He owns two properties across the street on Main Street. He was concerned about the density, the affect on the neighborhood, architecture, road, and safety.

Valerie Marek, 1435 E. Devonshire Rd. – She attended Trillion’s gathering. The density is terrible. All of the surrounding properties are single family homes. Strongly suggested not allowing this density. The road is not a proper width for fire trucks and needs to be wider.

Mayor Craig as three times if there were any further comments. There were none.

C. MURSKY MOTIONED TO CLOSE CITIZEN’S COMMENTS. P. SCHUMAN SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

The mayor stated that the 11:00 p.m. curfew would be enforced this evening.

3. CONSENT AGENDA.

- a. **TAX KEY 804.985, 3215 HILLSIDE DRIVE, DELAFIELD, WI.**
APPLICANT/OWNER: ROBERT GEISINGER, NEW VENTURE PROPERTIES, LLC. APPLICANT SEEKS APPROVAL FOR THE GATHERING, A RESTAURANT WITH HOURS OF OPERATION ON MONDAY THRU THURSDAY, 11AM- 10PM; FRIDAY AND SATURDAY, 11AM – 11PM; SUNDAY, 7AM – 10PM. 20 PART-TIME AND 6 FULL-TIME EMPLOYEES

C. MURSKY MOTIONED TO APPROVE AND NOTED THAT THIS DOES NOT INCLUDE SIGNAGE. P. SCHUMAN SECONDED THE MOTION. R.

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GEISINGER WAS PRESENT AT THE MEETING. THIS WOULD BE A FAMILY-TYPE RESTAURANT. HOURS OF OPERATION WERE DISCUSSED. A FRIENDLY AMENDMENT WAS MADE TO HAVE THE OPENING HOUR BE 7 A.M. SEVEN DAYS PER WEEK. C. MURSKY AND P. SCHUMAN AGREED. ALL WERE IN FAVOR. MOTION CARRIED.

4. PLANS OF OPERATION, SIGNAGE AND SITE PLAN

- a. **TAX KEY 742.985.001, W136 WATERTOWN PLANK ROAD, OKAUCHEE, WI.** OWNERS: MARK AND RUTH GUENTERBERG. APPLICANT: KEAN KEMNITZ. APPLICANT SEEKS APPROVAL OF REVISED SITE PLAN AND ARCHITECTURE FOR NEW BATCH PLANT FOR OKAUCHEE REDI-MIX.

K. Kemnitz representing Okauchee Redi-Mix was present at the meeting. He explained the history and locale of the operation. He had submitted schematic drawings and photos.

R. Dupler stated the proposal is in full compliance with the exception of the height of the structure. The base elevation of the building is more than 20' below the Vettelson Road street frontage and surrounding properties. Because of the area, it will be concealed. Recommended approval.

B. Leonard asked about the location of Watertown Plank Road. There is no new land division with this. R. Dupler stated that with the new operation the trucks will be able to maneuver onsite. The present building height is 70' plus 30' of radio towers. No new well be needed; existing wells will be used. Minimal erosion control will be needed.

D. KUCHLER MOVED TO APPROVE -- THE ADDITIONAL 13' SETBACK WILL BE ALLOWED AND TO GRANT THE HEIGHT OF 78' FOR THE STRUCTURE. P. SCHUMAN SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- b. **TAX KEY 798.966, 408-418 GENESEE STREET, DELAFIELD.** OWNER: LARRY KASSENS. APPLICANT: MARK KAMSLER, M.D. APPLICANT SEEKS APPROVAL OF AN AMENDED BUSINESS PLAN OF OPERATION AND SIGNAGE FOR TRUE BOTANICA, LLC, A NUTRITIONAL SUPPLEMENT STORE. HOURS OF OPERATION ARE WEEKDAYS, 8AM – 5PM; SATURDAY HOURS ARE NOT DETERMINED; 2 FULL-TIME; 2 PART-TIME EMPLOYEES

M. Kamsler was present at the meeting.

R. Dupler stated that this is an amendment to the original hours. Recommended approval.

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P. SCHUMAN MOTIONED TO APPROVE. D. KUCHLER SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- c. **TAX KEY 798.007, 715 ONEIDA STREET, DELAFIELD, WI.** OWNER: LEONARD SUSA. APPLICANT: TOM DENNIS. APPLICANT SEEKS APPROVAL OF A BUSINESS PLAN OF OPERATION AND SIGNAGE FOR ARROWOOD, INC., A RESIDENTIAL GENERAL CONTRACTOR'S OFFICE. HOURS OF OPERATION ARE WEEKDAYS, 7AM - 7PM; SATURDAY, 8AM - 12PM. ONE PART-TIME AND 1 FULL-TIME EMPLOYEE.

T. Dennis was present at the meeting.

R. Dupler stated that the colors of the sign should be modified and recommended approval.

B. LEONARD MOTIONED TO APPROVE WITH MODIFICATION OF THE BACKGROUND OF THE SIGN. P. SCHUMAN SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- d. **TAX KEY 804.999.008, 3200-3272 GOLF ROAD, DELAFIELD.** OWNER: TOLD DEVELOPMENT. APPLICANT: GREG KOST. APPLICANT SEEKS APPROVAL OF SIGN PROGRAM FOR THE SHOPPES AT NAGAWAUKEE - PHASE II.

G. Kost was present at the meeting and asked for approval of the signage package.

R. Dupler stated that the sign package is compatible with the sign program for Phase I. In Phase I the signage was allowed with double frontage. R. Dupler explained the square footage requirement for Building A and B and the orientation of these buildings. Identification of anchor tenants was discussed. G. Kost explained the need for double frontage signage. Discussion took place. R. Dupler explained how the highway right of way frontage determined the amount of signage.

C. MURSKY MOTIONED TO USE THE SAME METHOD AND CALCULATIONS PROCEDURES FOR PHASE I WHICH ARE 530 SF FOR BUILDING A AND 665 SF AND BUILDING B. B. LEONARD SECONDED THE MOTION. D. KUCHLER ASKED FOR CLARIFICATION OF THE CALCULATIONS. THE CALCULATIONS WERE MADE BY USING THE RIGHT OF WAY FRONTAGE. C. MURSKY CALLED THE QUESTION. THREE WERE IN FAVOR. P. SCHUMAN AND D. KUCHLER OPPOSED. MOTION CARRIED.

- e. **TAX KEY 804.999.008, 3200-3272 GOLF ROAD, THE SHOPPES AT NAGAWAUKEE, DELAFIELD.** APPLICANT: MARSHALLS. OWNER:

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TOLD DEVELOPMENT: APPLICANT SEEKS APPROVAL OF A BUSINESS PLAN OF OPERATION AND SIGNAGE FOR MARSHALLS, A CLOTHING APPAREL AND HOUSEWARES STORE. HOURS OF OPERATION ARE WEEKDAYS AND SATURDAY, 9:30AM – 10PM; SUNDAY, 9:30 – 6PM.

G. Kost was present at the meeting. He showed the locale of the Marshalls store and discussed the signage.

R. Dupler stated that the signage complied with the City ordinance in regard to square footage and size. Designation of anchor tenants should be entitled to larger square footage for their sign. He recommended approval.

B. LEONARD MOVED FOR APPROVAL. D. KUCHLER SECONDED THE MOTION. IT WAS CLARIFIED THAT THE SIGNAGE AND PLAN OF OPERATION WAS INCLUDED IN THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED.

- f. **TAX KEY 804.999.008, 3200-3272 GOLF ROAD, THE SHOPPES AT NAGAWAUKEE.** APPLICANT: THE SPORTS AUTHORITY. APPLICANT SEEKS APPROVAL OF SIGNAGE AND BUSINESS PLAN OF OPERATION FOR THE SPORTS AUTHORITY, RETAIL SPORTING GOODS. HOURS OF OPERATION ARE WEEKDAYS AND SATURDAY, 9AM – 9PM; SUNDAY, 10AM – 7PM. 35 FULL-TIME AND 40 PART-TIME EMPLOYEES. HOURS OF OPERATION FOR HOLIDAY AND SPECIAL EVENTS, 9AM – 12 MIDNIGHT.

G. Kost was present at the meeting. He discussed the name of the store. They are proposing the use of two signs.

R. Dupler stated that the signs are well placed, but are oversized. Total square footage falls within the allowable balance. Both signs exceed 150 square feet; they are 174 and 198 square feet. The petition was submitted with the name of "Sports Authority". He stated that this sign should be the same size as the Marshall sign and that it will be placed below it on the one side of the building. On the face of the building, he thought that the 198 square foot sign was too large. For the monument signs and sign panels, they are proposing white letters on red background.

B. LEONARD MOTIONED TO APPROVE WITH THE EXCEPTION TO LIMIT THE SIGN TO 150 SF, ON THE SOUTHSIDE THE SIGN SHOULD BE THE SAME SIZE AS THE MARSHALL SIGNAGE AND REQUIRE THAT THE MONUMENT SIGN NOT REQUIRE A WHITE BACKGROUND. D. KUCHLER SECONDED THE MOTION. C. MURSKY THOUGHT THAT THE WHITE BACKGROUND SHOULD BE ON ALL MONUMENT SIGNS. B. LEONARD AGREED TO THE MOTION MODIFICATION THAT ALL MONUMENT SIGNS HAVE A WHITE OR NEUTRAL BACKGROUND. D. KUCHLER DID NOT AGREE TO THE AMENDMENT. P. SCHUMAN

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SECONDED THE MOTION AS AMENDED. B. LEONARD AMENDED THE MOTION THAT IF THE BUSINESS NAME CHANGED TO SPORTS MART, IT COULD BE APPROVED BY STAFF. P. SCHUMAN AGREED. C. MURSKY STATED THAT SPORTS MART COULD NOT HAVE THE RED BACKGROUND. ALL WERE IN FAVOR. MOTION CARRIED.

5. FINAL CONSIDERATION, APPROVALS, PREVIOUS APPROVALS

- a. **TAX KEY 804.994.014, 2726-36 HILLSIDE DRIVE, DELAFIELD.** OWNER: MARCUS CORPORATION. APPLICANT: DAVID BAUM, SCHROEDER AND HOLT. APPLICANT SEEKS APPROVAL OF ARCHITECTURAL CHANGES TO THE MARQUEE AND COLOR OF THE BUILDING.

M. Carlson stated that the only reason this was not on the consent agenda is that it requires the Plan Commission to determine if it is a minor change or a major change.

R. Phillips representing Marcus Corporation was present at the meeting. He reviewed the modifications to the marquee, building color and a change in the lighting presentation. The existing foot candle is one foot candle at 21' and at 24' it would be .9. It was clarified that they are not repainting the entire building.

R. Dupler stated that the new marquee had spires which would increase the height of the building, but that it is not an issue. He recommended approval.

B. LEONARD MOTIONED TO RECOMMEND THIS AS A MINOR CHANGE TO THE GDP SUBJECT TO VERIFICATION OF THE LIGHT LEVELS AND THAT THE NEW SPIRE AND INCREASED HEIGHT IS NOT A COMPROMISE TO THE GDP OR IN CONFLICT. P. SCHUMAN SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- b. **TAX KEY 804.999.008, 3200-3272 GOLF ROAD, THE SHOPPES AT NAGAWAUKEE, DELAFIELD.** OWNER: TOLD DEVELOPMENT. APPLICANT: WHG, LLC. APPLICANT SEEKS A BUSINESS PLAN OF OPERATION, SIGNAGE, AND SIP APPROVAL FOR APPLEBEE'S NEIGHBORHOOD GRILL & BAR, A RESTAURANT. HOURS OF OPERATION ARE WEEKDAYS, 11AM - 11PM; SATURDAY, 11AM - 12 MIDNIGHT; SUNDAY, 11AM - 10PM. 40-50 FULL-TIME EMPLOYEES, 50 PART-TIME EMPLOYEES.

Jerry Wick, architect for the project, was present at the meeting. Tim Randall was also present. Hours on Friday will be 11 a.m. to midnight. They asked for final approval from this committee. He reviewed the revisions that they have made in response to feedback received. He distributed revised drawings per staff comments from the staff comments

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to the commissioners. It was clarified that Told Development would be responsible for the right turn lane into the development. J. Wick reviewed the changes on the new plans.

R. Dupler stated that the petition is in substantial conformance with the SIP. It was clarified that the dumpster had been relocated. There is an overage of 19 sf on the signage and the petitioner has agreed to reduce the sign. The location of the monument sign was discussed and it was stated that it had been shifted approximately 10'. The site lighting conforms with ordinance with the exception of the west property line where it abuts the Holiday Inn and revised photometrics will be submitted to staff. The architecture has a lighted accent in the cornice. The overall architecture is recognizable as an Applebees. Everything is substantially compliant with the exception of the cornice lighting.

B. Leonard discussed the right turn only lane. M. Court stated that this came from the Public Works review and it would be a right turn lane into the complex. The lighting on the cornice of the building was discussed and P. Schuman stated that this could be considered additional signage and that he would like to see it eliminated. B. Leonard would prefer less of a franchise appearance of the building. J. Wick stated that they had a franchise appearance that they needed to maintain. C. Mursky encouraged him to go back to Applebees and that some commission members would not approve the architecture as presented. She encouraged more creativity in the choice of landscape architecture. She would be more accepting of the same bricks as on the other buildings and different brick on the tower. Discussion took place on the bricks. T. Randall stated that they could try to get approval from Applebees on the brick colors. He suggested that this could be worked out with staff and they could take it back to Applebees International to see if they would be agreeable to a change in the brick color. Mayor Craig stated that it was not the shape of the building, but the brick and the lighting that was a problem. T. Randall stated that he is willing to work with staff on the color scheme. B. Leonard suggested that Applebees look at the other buildings in the development. It was the consensus of the commissioners that this needed to come back to the Plan Commission. M. Court stated that the final site plan and utilities could go to the Public Works Committee. C. Mursky asked that the Public Works Committee look at the designated car-side area. B. Leonard stated that she would like to see the cornice lighting eliminated. C. Mursky requested that the landscaping around the building and by the outdoor dining area be looked at.

- c. **TAX KEY 825.994, 701 MAPLE AVE, HARTLAND, WI. OWNER: HARTLAND SPORTSMAN'S CLUB. APPLICANT: RUSS MEIDENBAUR. APPLICANT SEEKS SITE PLAN AMENDMENTS AND ARCHITECTURAL APPROVAL.**

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R. Meidenbaur was present at the meeting. This building was located at the 50 yard range.

R. Dupler stated that this property is under Conditional Use. A recommendation needs to be made to the Common Council as to whether this is a major or a minor change. The building is a pre-existing nonconforming structure. Modifications are being made for acoustical and safety reasons. He stated that sediment and erosion control needed to be looked at by Public Works Committee. M. Carlson stated that the conditional use permit required them to do something with the structure which included the acoustic modification. The acoustic modification was consistent with the conditional use permit. R. Meidenbaur stated that the acoustic modification would complete the modifications on this range, but there are other ranges that need to be done. This is the range that is currently shut down. B. Leonard asked about the 50% rule. T. Maney stated that it was not relevant here because it was under conditional use and is not an inhabitable building. It was clarified that the conditional use is waiving the preexisting legal non-conforming structure point. Mayor Craig stated that the neighbors are seeking more sound abatement and safety improvements. P. Schuman stated that a master plan for sound abatement and safety should be developed for the rest of the club. Once the sound abatement and safety plan begins, a committee needs to be formed. B. Leonard stated that the two citizens should be from the area affected should sit of the committee.

P. SCHUMAN MOTIONED TO APPROVE THE ENCLOSURE IN ORDER TO AID SOUND ABATEMENT AND SAFETY, THAT THE COMMITTEE BE FORMED AS INDICATED IN THE GDP, THAT THIS IS RECOMMENDED TO THE COMMON COUNCIL AS A MINOR CHANGE, AND THAT THE DPW SHOULD GET INVOLVED IN THE SEDIMENT AND EROSION CONTROL. D. KUCHLER SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED.

- d. **TAX KEY 0803.991.003, 2580 SUN VALLEY DRIVE, DELAFIELD.** OWNER: RICHARD FLATH. APPLICANT: KYLE PARK. APPROVAL OF A SITE PLAN AND TEMPORARY BUSINESS PLAN OF OPERATION FOR NORTHERN ROAST COFFEE, A DRIVE-THRU COFFEE KIOSK, PROPOSED LOCATION AT MARTY'S PIZZA PARKING LOT. HOURS OF OPERATION ARE WEEKDAYS, SATURDAYS AND SUNDAYS, 6:00 A.M. – 6:00 P.M.; 3 FULL-TIME AND 2 PART-TIME EMPLOYEES. IN ADDITION APPLICANT SEEKS CONCEPTUAL APPROVAL AND PUBLIC HEARING FOR CONDITIONAL USE PERMIT.

P. Miller, an architect representing Northern Roast Coffee Company, was present at the meeting. An ownership agreement has been submitted along with the submittal package. He reviewed the operation.

M. Carlson stated that research was conducted on a similar kiosk and this was provided to the Petitioner and the Plan Commission. The City

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Attorney reviewed this. The options are to seek permission for temporary use or create a PUD. They are seeking Plan Commission approval on temporary use.

R. Dupler stated as a temporary structure it would require them to set a termination date or a public hearing could be held if the Petitioner wanted to pursue a conditional use permit. The Petitioner is asking for a temporary permit for one year. The City Attorney stated that the kiosk was not a subordinate use to the principal structure.

C.MURSKY MOTIONED TO DENY. P. SCHUMAN SECONDED THE MOTION. D. KUCHLER DISCUSSED THE TEMPORARY USE. ALL WERE IN FAVOR OF THE MOTION. MOTION CARRIED.

M. Carlson stated that the only remaining option would be a PUD.

6. PRELIMINARY CONSIDERATION

- a. **TAX KEY 797.979, MAIN & LAPHAM PEAK ROAD, DELAFIELD.**
APPLICANT: ROBERT DUFFY, TRILLIUM DEVELOPMENT. APPLICANT SEEKS APPROVAL OF A CONCEPTUAL PLAN FOR THE SANCTUARY OF DELAFIELD, A PLANNED UNIT DEVELOPMENT COMPRISED OF SINGLE FAMILY CONDOMINIUMS

Mayor Craig recused himself from this item. P. Schuman chaired the Plan Commission for this item.

B. Duffy of Trillium Development was present at the meeting. He reviewed the PUD on the 14 acre parcel with 30 units. It is a cross between a cluster development and a condo development; a single family condo development. The group has an affiliation with Kingsway Homes and the homes will be priced at slightly more than \$500,000. Being a condo plat type development the structures are sitting on a condo pad. He stated that a 24' road width has been approved by the City before.

R. Dupler stated that this is a concept presentation. The next step would involve a public hearing to consider the GDP documents for this project to proceed. He discussed the density. They asked for a yield plan and it illustrates 24 R-3 lots. He thought this was overly optimistic. He discussed his reasoning and the presence of flag lots. He created a yield plan which achieved 17 lots and assumed a 66' road. He reviewed the problem with the cul de sac shape that was proposed by the Petitioner. M. Carlson read Chapter 17.05. R. Duffy responded. M. Carlson stated that Ruff's Preserve and Delafield Commons were recent R-3 developments. It was stated that if the Plan Commission approved substandard infrastructures (private roads), the City of Delafield would not accept responsibility for them. Following precedent set in R-3 developments, there are 17 lots, however, discounting the land dedication would reduce the number of lots to 15. It was clarified that it

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is the Plan Commissioner's decision whether to require space for park use or a fee in lieu of land. A copy of the market study will be provided to the City. M. Carlson will provide the developer with more current data regarding schools. The fiscal impact analysis should show more city data with respect to annual operating costs, i.e. police, paramedic costs. M. Court stated that at the schematic level, it appears that adequate space has been allotted for drainage. The site distance at the entrance on Main Street needs to be verified. The commissioners suggested establishment of a cul de sac as a winding road, proposed road system to accommodate emergency vehicles, to have two access points, go to a density of 15/17 homesites, and the address the question of the dedication of park space. R. Dupler suggested that there be guest parking spaces provided if a narrower road was used so that on-street parking would not occur.

- b. **TAX KEY 781.989, 781.990, 779.999, 784.999 AND 778.999.001, 1605 HWY 83, DELAFIELD.** OWNER: J. GEASON. APPLICANT: TIM GRAF, ACUITY DEVELOPMENT. APPLICANT SEEKS APPROVAL OF A CONCEPT PLAN FOR A MIXED USE RESIDENTIAL PLANNED DEVELOPMENT.

T. Graf from Acuity Development and J. Geason, owner of the property, were present. They distributed a packet with several documents to the commissioners which included the East Side Development Plan and the Settlement Agreement. He reviewed the history of this parcel of land. The site falls within the area described in the boundary agreement. The Town of Delafield and the Village of Hartland also have review rights on this proposed development. Mayor Craig stated that the conversations that were previously held regarding density were conversations only. In addition, Mayor Craig asked for verification of the sewer and water claims that the Petitioner mentioned were in the Settlement Agreement.

T. Graf stated that the parcel would have 133 units, with an approximate average of two units per acre for the site. The site would have condo units, three-quarter acre residential sites, and one acre residential sites. Connections to the Ice Age Trail have been provided. The plan is a staggering of larger lots and progressively getting smaller to the condo units along Highway 83. Buffering around the entire site is accomplished through the use of berms and plantings to conceal garages, etc. of the housing units. He reviewed the landscaping that is being considered.

R. Dupler stated that this property has a unique history. The concept has some justification in that it presents housing opportunities with a transition from town residences to more intensive uses. The Plan Commission may want to consider that this property may need to be rezoned to residential and that a yield plan be created. The parcel is zoned as B-6 and as B-6, it is mandatory that all development be pursued as a Planned Development.

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J. Geason reviewed how the Settlement Agreement affected his property.

Mayor Craig would like to see this reconfigured as two acre lots as the comprehensive plan proposes.

C. Mursky stated that the intent of the B-6 zoning was viewed as a flexible holding that could later be residential. R. Dupler stated that R-5 had the same definition. B. Leonard thought that the entire corridor needed to be studied to determine what the community wants.

Mayor Craig stated that the Plan Commission was not looking for a plan such as the one presented, but the owner did have a right to pursue it. They also had a right to bring it back as commercial.

c. **APPROVAL OF CERTIFIED SURVEY MAP FOR THE SHOPPES AT NAGAWAUKEE, TAX KEY 804.999.008, 3200-3272 GOLF ROAD**

Mayor Craig stated that this will be put on for final consideration at the next meeting. No discussion took place.

d. **PLAN COMMISSION REVIEW REGARDING ACQUISITION OF MILL ROAD DAM PROPERTY AND RECOMMENDATION TO CITY COUNCIL.**

Mayor Craig stated that this will be put on for final consideration at the next meeting. No discussion took place.

7. **ZONING AND ORDINANCE REVISION**

a. **DISCUSSION REGARDING APPROVAL PROCESS AND STAFF APPROVAL AUTHORITY FOR SIGNS AND BUSINESS PLANS OF OPERATIONS.**

No discussion took place.

b. **TREE ORDINANCE – DRAFT ORDINANCE.**

No discussion took place.

c. **DISCUSSION REGARDING SIGN FONTS**

No discussion took place.

8. **HEARING DATES**

None.

9. **ADMINISTRATOR'S REPORT**

a. **UPDATE ON NORTHWEST QUADRANT PLANNING ANALYSIS**

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No report.

10. BUILDING INSPECTOR'S REPORT

No report.

11. BOARD OF ZONING APPEALS

- a. Letter dated December 16, 2004 from the Board of Zoning Appeals granting a variance for the property at 1322 Nagawicka Street, Delafield, WI.
- b. Letter dated December 16, 2004 from the Board of Zoning Appeals granting a variance for the property at 3200 Stonebridge Isle, Delafield, WI.
- c. Letter dated January 17, 2005 from the Board of Zoning Appeals granting a variance for the property at 2325 Nagawicka Road, Delafield, WI.
- d. Letter dated January 17, 2005 from the Board of Zoning Appeals granting a variance for the property at 1103 Milwaukee Street, Delafield, WI.

12. CORRESPONDENCE

None.

13. ADJOURNMENT

D. KUCHLER MOTIONED TO ADJOURN FROM THE MEETING. B. LEONARD SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED. THE MEETING ADJOURNED AT 11:30 P.M.

Respectfully submitted:

Minutes Prepared By:

Marilyn Czubkowski, CMC
City Clerk/Treasurer

Accurate Business Communications LLC